

**REMARKS**

The following remarks are responsive to the Office Action of March 6, 2009. Claims 1, 5-9, 12, 13, 19 are amended. Claim 15 is canceled. Reconsideration and allowance is requested based on the above amendments and the following remarks.

**Objections to the Specification**

The specification is objected to for not having headings, for not having sections for the background of the invention and for the summary of the invention, and for not having a brief description of the several views of the drawings. Applicants request that the Examiner process the preliminary amendment received at the USPTO on 26 September 2005 which is available on the USPTO's website. In this preliminary amendment, the specification is amended by adding section heading. Applicants note amendments to the claims in this same preliminary amendment were processed by the USPTO.

**Rejections under 35 U.S.C. §112, second paragraph**

Claims 7, 8 and 14 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Claims 7 and 8 are amended to comply with the Office Action. Claim 14 is amended and no longer recites the rejected element. Withdrawal of the rejections is requested.

**Rejections under 35 U.S.C. §§ 102 and 103**

At the time of the Office Action, claims 1-19 were pending. Claims 1, 4 and 6-8 were rejected under 35 U.S.C. §102(b) as anticipated by Baker (U.S. Patent No. 6,122,613)(“Baker”). Claims 14-19 were rejected under 35 U.S.C. §102(e) as anticipated by Reding et al. (U.S. Patent No. 6,823,306)(“Reding”). Claims 2, 3 and 5 were rejected under 35 U.S.C. §103(a) as obvious over Baker in view of Reding et al. Claims 9-13 were rejected under 35 U.S.C. §103(a) as obvious over Reding et al. in view of Baker. Applicants traverse the rejections and assert the amended claims are patentably distinct over the cited prior art.

Consider a portion of claim 1, which recites in relevant part:

**select a signal from at least the audio signal to be recognized and a signal indicating the modeling parameters, as a function of criteria relating to loading issues of the various processing means at the level of the terminal and of**

the server, and/or as a function of criteria relating to the availability of voice or data transmission channels;

**sending the selected signal to the server**

The bolded portions are not disclosed or suggested by the cited prior art. Baker discloses only a method of distributed speech recognition in a system comprising a terminal and a server communicating together via telecommunication network. In the Baker system, the speech recognition method can be carried out at the terminal level and at the server level, either in serial or in parallel. But, Baker does not disclose or suggest the bolded portion above where a signal is selected and then sent to the server. The benefits of the bolded portion is that it allows using different resources for processing speech recognition at the terminal level and at the server level in a more efficient way. Further, the bolded portion allows for a high flexibility of the distributed speech recognition system based on loading issues and/or on transmission channel availability. Further, Reding does not remedy the deficiencies of Baker for at least the reason that Reding does not disclose or suggest adaptation of the speech recognition based on loading issues and/or on transmission channel availability.

Withdrawal of the rejection of claim 1 is requested. Additionally, since claims 2-8 depend from claim 1, withdrawal of the rejections of claims 2-8 is requested for at least the same reasons as for claim 1.

Furthermore, since claim 9 recites similar elements as the bolded portion above, withdrawal of the rejection to claim 9 is requested for at least the same reason as for claim 1. And since claims 10-13 depend from claim 9, withdrawal of the rejections of claims 10-13 is requested for at least the same reasons as for claim 9.

Additionally, since claim 14 recites similar elements for the server as the bolded portion above, withdrawal of the rejection to claim 14 is requested for at least the same reasons as for claim 1. And since claims 16-19 depend from claim 14, withdrawal of the rejections of claims 16-19 is requested for at least the same reasons as for claim 14.

In re Appln. of Monne et al.  
Application No. 10/550,971  
Response to Office Action of March 6, 2009

**Conclusion**

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

/brian c. rupp/

---

Brian C. Rupp, Reg. No. 35,665  
Gregory R. Grace, Reg. No. 59,733  
DRINKER BIDDLE & REATH LLP  
191 N. Wacker Drive, Suite 3700  
Chicago, Illinois 60606-1698  
(312) 569-1000 (telephone)  
(312) 569-3000 (facsimile)  
Customer No.: 08968

Date: June 1, 2009  
CH01/25338568.1